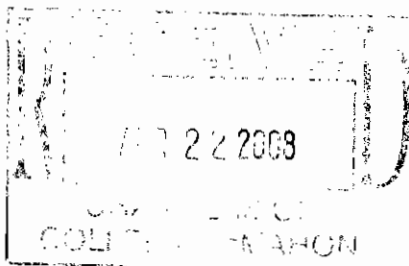


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April 22, 2008

BY FACSIMILE

The Honorable Colleen McMahon
United States District Judge
Daniel Patrick Moynihan United States Courthouse
500 Pearl Street, Room 640
New York, New York 10007

docket as letter

USDS SDNY
DOCUMENT
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DATE FILED 4/22/08

Re: United States v. Ruopian Chen and Xujia Wang, 07 CR 30 (CM)

Dear Judge McMahon:

I write on behalf of Driscoll & Redlich, counsel for Xujia (Jennifer) Wang, and Spears & Imes LLP, counsel for Ruopian (Rubin) Chen, to follow up on our letters dated January 25 and February 22, 2008. Counsel for the Government has advised us that the Government does not object to the relief we seek herein.

As we have previously advised the Court, the defendants have reached an agreement in principle with the SEC to settle the civil case *SEC v. Wang and Chen*, 07 CV 3715 (AKH) (S.D.N.Y.). To facilitate settlement and to avoid the risk of duplicative disgorgement and forfeiture obligations to the SEC and the United States Attorney's Office, we submitted to the Court a proposed order, to which the Government consented. The Court entered the order on January 28, 2008.

Among other things, the January 28 Order prohibits the United States Attorney's Office from enforcing the forfeiture provisions of the defendants' plea agreements for a period of 30 days from the date of the issuance of the order, so as to give the defendants and the SEC time to finalize settlement of the civil case. At the defendants' request, in an order dated February 25, the Court extended the expiration date by 60 days. That 60-day period is set to expire April 25.

Unfortunately, the SEC Staff has informed us that the SEC's processing of the settlement documents (which have already been executed by the defendants) is still not complete, but should be complete within another 90 days. Accordingly, we enclose a proposed order directing the United States Attorney's Office not to enforce the forfeiture provisions of the defendants' plea agreements for an additional 90 days from the date of

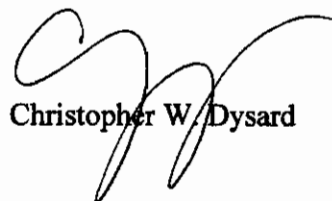
The Honorable Colleen McMahon

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the issuance of the proposed order. The proposed order does not otherwise modify the January 28 Order in any way.

Thank you for your consideration.

Respectfully,

A handwritten signature in black ink, appearing to be "CW Dysard", written over the printed name.

Christopher W. Dysard

(Enclosure)

cc: AUSA Reed Brodsky (by e-mail)
Catherine L. Redlich, Esq. (by e-mail)